

FILED  
07 DEC 17 PM 3:17  
U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

Marlon Estacio Pagtakhan

Plaintiff,

vs.

Sheriff Don Horsley

Defendant.

CASE NO. \_\_\_\_\_

PRISONER'S  
APPLICATION TO PROCEED  
IN FORMA PAUPERIS

SI

(PR)

I, Marlon E. Pagtakhan, declare, under penalty of perjury that I am the plaintiff in the above entitled case and that the information I offer throughout this application is true and correct. I offer this application in support of my request to proceed without being required to prepay the full amount of fees, costs or give security. I state that because of my poverty I am unable to pay the costs of this action or give security, and that I believe that I am entitled to relief.

In support of this application, I provide the following information:

1. Are you presently employed? Yes \_\_\_ No X

If your answer is "yes," state both your gross and net salary or wages per month, and give the name and address of your employer:

Gross: n/a Net: n/a

Employer: n/a

1 If the answer is "no," state the date of last employment and the amount of the gross and net  
 2 salary and wages per month which you received. (If you are imprisoned, specify the last  
 3 place of employment prior to imprisonment.)

4 8/10/07 gross \$2,000 (estimate) (18.00/hour)  
 5 net \$1,600 (estimate) (varied schedule)  
 6 Celtic Moving & Storage, Donner St., SE, CA.

7 2. Have you received, within the past twelve (12) months, any money from any of the  
 8 following sources:

- 9 a. Business, Profession or Yes \_\_\_ No ☒   
 10 self employment
- 11 b. Income from stocks, bonds, Yes \_\_\_ No ☒   
 12 or royalties?
- 13 c. Rent payments? Yes \_\_\_ No ☒   
 14 d. Pensions, annuities, or Yes \_\_\_ No ☒   
 15 life insurance payments?
- 16 e. Federal or State welfare payments, Yes \_\_\_ No ☒   
 17 Social Security or other govern-   
 18 ment source?

19 If the answer is "yes" to any of the above, describe each source of money and state the amount  
 20 received from each.

21 n/a  
 22 \_\_\_\_\_

23 3. Are you married? Yes \_\_\_ No ☒

24 Spouse's Full Name: n/a

25 Spouse's Place of Employment: n/a

26 Spouse's Monthly Salary, Wages or Income:

27 Gross \$ n/a Net \$ n/a

28 4. a. List amount you contribute to your spouse's support: \$ n/a

- b. List the persons other than your spouse who are dependent upon you for support and indicate how much you contribute toward their support. (NOTE: For minor children, list only their initials and ages. DO NOT INCLUDE THEIR NAMES.)

mother and father \$500.00/month  
for food and misc. expenses

5. Do you own or are you buying a home? Yes \_\_\_ No ☒

Estimated Market Value: \$ n/a Amount of Mortgage: \$ n/a

6. Do you own an automobile? Yes \_\_\_ No ☒

Make n/a Year n/a Model n/a

Is it financed? Yes \_\_\_ No \_\_\_ If so, Total due: \$ n/a

Monthly Payment: \$ n/a

7. Do you have a bank account? Yes ☒ No \_\_\_ (Do not include account numbers.)

Name(s) and address(es) of bank: Wells Fargo  
Broadway, Burlingame Ca. 94010

Present balance(s): \$ Ø (possibly closed out)

Do you own any cash? Yes \_\_\_ No ☒ Amount: \$ Ø

Do you have any other assets? (If "yes," provide a description of each asset and its estimated market value.) Yes ☒ No \_\_\_

"studio sized" household goods & clothing in storage (.60/lb. market valuation)

8. What are your monthly expenses?

Rent: \$ 183 storage (paid by sister) Utilities: n/a

Food: \$ n/a Clothing: n/a

Charge Accounts:

Name of Account	Monthly Payment	Total Owed on This Acct.
<u>none</u>	\$ <u>Ø</u>	\$ <u>Ø</u>
<u>none</u>	\$ <u>Ø</u>	\$ <u>Ø</u>
<u>none</u>	\$ <u>Ø</u>	\$ <u>Ø</u>

9. Do

1 you have any other debts? (List current obligations, indicating amounts and to whom they are  
2 payable. Do not include account numbers.)

3 none

4  
5 10. Does the complaint which you are seeking to file raise claims that have been presented  
6 in other lawsuits? Yes      No X

7 Please list the case name(s) and number(s) of the prior lawsuit(s), and the name of the court in  
8 which they were filed.

9 n/a

10  
11 I consent to prison officials withdrawing from my trust account and paying to the court  
12 the initial partial filing fee and all installment payments required by the court.

13 I declare under the penalty of perjury that the foregoing is true and correct and  
14 understand that a false statement herein may result in the dismissal of my claims.

15  
16 12/10/07

17 DATE

18 Marlon E. Bagtakhian

19 SIGNATURE OF APPLICANT  
20  
21  
22  
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25  
26  
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28

Case Number: \_\_\_\_\_

**CERTIFICATE OF FUNDS**  
**IN**  
**PRISONER'S ACCOUNT**

I certify that attached hereto is a true and correct copy of the prisoner's trust account statement showing transactions of Marlon E. Pagtakhan for the last six months at AKA PAKTAKHAN ID. #1079584

[prisoner name]

Maguire Correctional Facility where (s)he is confined.  
[name of institution]

I further certify that the average deposits each month to this prisoner's account for the most recent 6-month period were \$ 20.00 and the average balance in the prisoner's account each month for the most recent 6-month period was \$ 11.50.

Dated: 12-11-07

J. Singh, LOS (Team 3)  
[Authorized officer of the institution]

01:00:03 11 Dec 2007

ID NUMBER: 1079584

INMATE: PAKTAKHAN, MARLON

DATE	TIME	RECEIPT	DEPOSIT OR <WITHDRAW>	BALANCE	AUTHORIZATION
12 Aug 07	13:44	1637308	3.00	3.00	NEW
15 Aug 07	06:02	2259057	<3.00>	0.00	COMMISSARY
19 Aug 07	13:13	1497971	50.00	50.00	DN/JOANNA (SISTER)
22 Aug 07	06:12	2171752	<25.00>	25.00	COMMISSARY
23 Aug 07	10:38	2260014	<25.00>	0.00	COMMISSARY
25 Aug 07	14:30	1498652	25.00	25.00	MOM
29 Aug 07	06:05	2016794	<10.00>	15.00	COMMISSARY
30 Aug 07	08:04	2016886	<14.70>	0.30	COMMISSARY
01 Sep 07	19:17	1499400	20.00	20.30	GV/JOANNA
05 Sep 07	06:32	2260831	<20.00>	0.30	COMMISSARY
12 Sep 07	20:58	1400677	40.00	40.30	JOANNA
13 Sep 07	10:38	2261526	<20.30>	20.00	COMMISSARY
19 Sep 07	06:29	2174069	<11.80>	8.20	COMMISSARY
20 Sep 07	11:04	2174261	<8.20>	0.00	COMMISSARY
03 Oct 07	19:20	1402954	50.00	50.00	CO/ FROM JOANNA
04 Oct 07	10:37	2262892	<20.90>	29.10	COMMISSARY
10 Oct 07	06:15	2175730	<2.30>	26.80	COMMISSARY
11 Oct 07	10:49	2263641	<13.80>	13.00	COMMISSARY
17 Oct 07	06:05	2263926	<11.50>	1.50	COMMISSARY
18 Oct 07	10:36	2264155	<1.50>	0.00	COMMISSARY
21 Oct 07	21:06	1404905	15.00	15.00	CO: JOANNA AND CHRISTIAN
24 Oct 07	06:36	2264482	<9.50>	5.50	COMMISSARY
25 Oct 07	11:14	2176946	<5.40>	0.10	COMMISSARY
28 Oct 07	13:20	1405549	20.00	20.10	DN/MOM
31 Oct 07	06:36	2177476	<19.90>	0.20	COMMISSARY
01 Nov 07	12:01	2177737	<0.20>	0.00	COMMISSARY
10 Nov 07	13:54	1406980	20.00	20.00	DN/MOM
14 Nov 07	07:38	2266006	<19.90>	0.10	COMMISSARY
28 Nov 07	19:51	1408821	20.00	20.10	CO: MOM
29 Nov 07	14:14	2266982	<20.10>	0.00	COMMISSARY
06 Dec 07	20:22	1409697	30.00	30.00	CO: MOM
07 Dec 07	06:26	2180045	<18.50>	11.50	COMMISSARY